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NFCB NEWSLETTER

NATIONAL FEDERATION OF COMMUNITY BROADCASTERS 1314 14th Street, NW, Washington, DC 20005 202/797-8911

Bail-Out Agreement For NPR

National Public Radio and the Corporation for Public Broadcasting have reached an agreement clearing the way for CPB to extend an $8.5 million line of credit to "bail out" the financially-devastated public radio network. Since mid-June, when an outside audit projected that NPR would incur a deficit of some $9.1 million for the current fiscal year, CPB and NPR have been negotiating over terms of a loan arrangement.

CPB had imposed a number of conditions that must be met before it would make funds available:

- Requirements for strict financial controls at NPR, including prior CPB approval of any grants and projects undertaken by NPR.
- Commitments by NPR member stations to guarantee the loan. This means that, over the next three years, portions of their Community Service Grants could be used to repay funds loaned to NPR if NPR itself cannot meet the commitment.
- Transfer of title to NPR's satellite interconnection equipment to another party to protect some $2.3 million in facilities against any future default by NPR.

In addition, CPB is considering the option of gradually transferring a portion of the money it spends on national programming from NPR to the stations. By passing the money through the stations, CPB hopes to induce them to take a more active role in overseeing the national network.

The money that CPB would continue to invest directly in national programming under this plan would be allocated to satisfy three major commitments of the Corporation: preservation of essential public radio programming — particularly *All Things Considered* and *Morning Edition*, and support of programs serving specialized audiences and of programs developed by independent producers.

DIFFICULT NEGOTIATIONS

The proposed transfer of satellite gear proved to be a major stumbling block in the NPR-CPB negotiations over a loan arrangement. NPR argued that CPB was attempting a "power play," trying to strip NPR of crucial assets "under duress." CPB responded that it had an obligation to protect and preserve a vital asset of the public radio system, and that any arrangement short of NPR transferring control of the satellite facilities would leave them at risk in the future.

CPB originally proposed that it take title to the satellite gear, but quickly amended its proposal to suggest transfer to a trust administered by the owners of the public radio satellite uplink stations. NPR still objected, arguing against what it saw as a "forced restructuring of public radio."

While negotiations ground to a halt over the satellite issue, NPR gained some ground by agreeing to sell its 20% share of INC Telecommunications, its joint venture involving data transmission via SCA systems. The sale would bring NPR $5 million by the end of the fiscal year.

Questions were raised about this deal, however, when it was revealed that the National Information Utilities Corporation, the partner slated to buy out NPR, had less than $4,000 in the bank, owed back taxes (as does NPR) and had received a report from its auditors that stated the company "may be unable to continue in business." NIUC plans to present a $21 million stock offering to raise the needed capital, pending approval by the Securities and Exchange Commission.

Meanwhile, back at the negotiating table, CPB and NPR were rapidly approaching the end of NPR's fiscal rope. Discussions were resumed amid mounting political pressure for a solution to preserve NPR. After a marathon session extending into the early morning hours of July 28, a face-saving compromise was achieved on the satellite issue.

Satellite equipment owned by NPR will be transferred to a trust which will be controlled by majority vote of all CPB-qualified licensees. Three "public figures" from outside public broadcasting will oversee the trust: Virginia Duncan,

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THE INSIDE STORY

"I don't know how you guys do it," said a bleary-eyed producer at the end of the 1983 NFCB National Conference, "but these things just keep getting better and better." For those of you who missed it, our annual gathering was an all-round success.

Despite the tough times many community stations are facing in this year of economic recession and funding cutbacks, some 340 community broadcasters assembled in sunny Santa Cruz with a strong sense of pride in past accomplishments and energy for the work ahead. The large turnout — almost 50% more people than ever before — helped affirm our perceptions of continued growth and vitality in community radio.

Be assured, though, that we do not intend to rest on any laurels. We are already sifting through evaluations and discussing ways in which we can make next year's event more productive, responsive and exciting. As always, your thoughts on the subject will be appreciated.

* * * * *

As though a national conference weren't enough, we are now making final arrangements for the first-ever World Conference on Community Radio, slated for Montreal, August 7-12. NFCB will lead an American delegation of over 75 community broadcasters, representing stations and independent producers from throughout the United States. With support from the National Endowment for the Arts, we have been able to provide travel assistance to almost two-thirds of the delegation, insuring a strong and diverse contingent.

I have two sets of expectations for this historic event, both based on the relative maturity of community radio in the U.S. compared to other countries. I am looking forward to the chance to share our experiences and to help other community broadcasters move more quickly through some of the arduous phases of development that have characterized our own evolution. At the same time, though, I am hoping to have some of my own assumptions and models challenged. Even for a cantankerous bunch like community broadcasters, it is all too easy to fall into an acceptance that the way things are is the way things must be. We lose sight of how much we take for granted and of how many options we deny ourselves. It should be extremely refreshing to hear about others who, while pursuing quite similar goals, have fashioned different systems, structures and operating styles.

* * * * *

Community radio should be quite pleased with the terms of the loan agreement concluded between the Corporation for Public Broadcasting and National Public Radio. For those of us who depend on the important services of NPR, there is some assurance that the vital core of network service will be preserved. For those of us outside the NPR system, the arrangements assure that NPR's problems will not soak up resources that are desperately needed for other projects — the financial responsibility resides within NPR's membership structure. For everyone in public radio, there is assurance that the public radio satellite system will be preserved and strengthened as a tool for all stations and producers to use.

—Tom Thomas

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NATIONAL FEDERATION OF COMMUNITY BROADCASTERS
1314 14th Street, NW
Washington, DC 20005
202/797-8911

The *NFCB Newsletter* is published by the National Federation of Community Broadcasters, a non-profit membership organization representing community oriented radio groups throughout the United State. The *NFCB Newsletter* is sent free to all participant and associate members of NFCB; stations and organizations should write for information about how to join.

The *NFCB Newsletter* is also available on a subscription basis at the following rates:

Individuals: $15/year.

Libraries and organizations: $25/year.

These rates are for third-class delivery within the United States. To receive the *Newsletter* by first-class mail, or in other countries, add $5 to the subscription price.

Submissions for publication are welcome, but we regret that we cannot offer any compensation.

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NFCB STAFF

Tom Thomas, *President*
Terry Clifford, *Vice President*
Nan Rubin, *Director of Station Development*
Betsy Rubinstein, *Director of Publications*
Dave Taylor, *Director of Program Services*
Jim Gleeson, *Program Distribution*
Ghirmai Kahsay, *Bookkeeping*

NFCB STEERING COMMITTEE

Hugo Morales (KSJV), *Chairperson*; Miya Iwataki (KPFK), *Secretary*; Marc Hand (Western Community Bilingual Radio), *Treasurer*; Faye Eriacho (KSHI); Diane Kaplan (Alaska Public Radio Network); Valeria Lee (WVSP); Bari Scott (KPFA); Jaime Villegas (ETCOM); Bill Wax (KOPN); Tom Thomas, *President*.

AT A GLANCE

We have made our best effort to give correct information, but we advise readers to contact the agencies or organizations for verification of the dates listed below in case of delays, date changes or guidelines updates. Be sure to have the most up-to-date guidelines. (When applying for grants, be sure to note if a preliminary application is necessary.)

If you have a listing for the NFCB Newsletter "At A Glance," call or write Betsy Rubinstein, NFCB, (202) 797-8911.

AUGUST

Women At Work Broadcast Awards for excellence in reporting and programming on the concerns of working women. Deadline August 15. Award: Tiffany crystal hexagon, certificates. Contact Sally Steenland, National Commission on Working Women, 2000 P St., NW, Suite 508, Washington, DC 20036. (202) 872-1782.

CPB In-Service Training Grants are due August 22. *(Note change from previously-published date.)* Contact Charles Hamilton, Human Resources Dept., CPB, 1111 16th St., NW, Washington DC 20036. (202) 293-6160.

Grantsmanship Center Funding Workshops — Washington, DC, August 22-27. Contact Seminar Coordinator, Grantsmanship Center, 1031 S. Grand Ave., Los Angeles, CA 90015. (800) 421-9512 or (213) 749-2721.

Grantsmanship Center Funding Workshops — Dallas, TX, August 29 - September 2. See last listing.

SEPTEMBER

Gabriel Awards for programs which creatively treat issues of human values. Deadline September 1. Award: silver figure. Entry fee: $50. Contact Louise Molinari, Coordinator, Gabriel Awards, Bridge Productions, 2655 Van Ness Avenue, San Francisco, CA 94109. (415) 441-8111.

Midwest Radio Theatre Workshop — September 1 is deadline for script submission for performance at 1983 MRTW. $400 to winning script. Contact Susan Newstead, Director, MRTW, c/o KOPN, 915 E. Broadway, Columbia, MO 65201. (314) 874-1139.

Comments on Channel 6/FM proposals (FCC Docket 20735) due September 6. For more information, contact NFCB, 1314 14th St., NW, Washington, DC 20005. (202) 797-8911.

CPB Board Meeting, September 14-15, CPB Building, 1111 16th St., NW, Washington, DC 20036. (202) 293-6160.

Abe Lincoln Awards for broadcasters making "outstanding contributions to their communities and the nation." Deadline September 15. Award: statuette. Entry fee is $25. Contact Bonita Sparrow, Southern Baptist Radio-TV Commission, 6350 W. Freeway, Fort Worth, TX 76150. (817) 737-4011.

Western Public Radio radio drama production workshop, September 19-28. Contact Leo Lee or Lynn Chadwick, WPR, Fort Mason Center, Building D, San Francisco, CA 94123. (415) 771-1160.

Ohio State Awards for excellence in educational, informational and public affairs broadcasting. Deadline is September 30. Entry fee: $50. Contact Phyllis Madry, Manager, Ohio State Awards, the WOSU Stations, 2400 Olentangy River Rd., Columbus, OH 43210. (614) 422-0185.

OCTOBER

FCC License Renewal Applications due from stations in Alaska, Guam, Hawaii, Oregon, Samoa and Washington.

Renewal Applications for FM Translators in Iowa.

Mental Health Media Awards for outstanding contributions in the coverage of mental health issues. Deadline is October 1. Contact Jane Pince Eick, Awards Coordinator, National Mental Health Association, 1800 N. Kent St., Arlington, VA 22209. (703) 528-6405.

SECA 83: Bridge to 1984, October 3-6, Memphis, TN. Annual conference of Southern Educational Communications Association, this year focusing on management skills and new technologies. Contact SECA, Radio Division, P.O. Box 5966, Columbia, SC 29250. (803) 799-5517.

NFCB Steering Committee Meeting, October 14-16, Washington, D.C. Contact Tom Thomas, NFCB, 1314 14th St., NW, Washington, DC 20005. (202) 797-8911.

CPB Minorities'/Women's Training Grants due October 17. Contact Charles Hamilton, Human Resources Dept., CPB, 1111 16th St., NW, Washington, DC 20036. (202) 293-6160.

Midwest Radio Theatre Workshop, October 24-29, Columbia, Mo. Contact Bartt Horton, Assistant Director, MRTW, c/o KOPN-FM, 915 E. Broadway, Columbia, MO 65201. (314) 874-1139.

Reply Comments on Channel 6/FM proposals (FCC Docket 20735) due October 25. Contact NFCB, 1314 14th St., NW, Washington, DC 20005. (202) 797-8911.

NOVEMBER

Airlie IV, The Art of Radio, Nov. 16-20, Prince George Hotel, New York City. Sponsored by the Radio Foundation, this conference for station-based and independent producers, program funders and program distributers will feature panel presentations, production seminars and general discussion on the art of radio production, program funding and program marketing. *Partial scholarships are available for women and minority applicants to defray part of the cost of attendance; limited number of registration fee scholarships are also available to New York state radio artists.* Contact Larry Josephson, Radio Foundation, P.O. Box 884, New York, NY 10023. (202) 595-1837.

DECEMBER

FCC License Renewal Applications due from stations in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont.

Renewal Applications for FM Translators in Minnesota.

National Mass Media Brotherhood Awards for work promoting better mutual understanding and cooperation among Americans of different religions, races and ethnic origins. Deadline for entry is December 31. Contact Harry A. Robinson, Brotherhood Media Awards, National Conference of Christians and Jews, 43 W. 57th St., New York, NY 10019. (212) 688-7530.

JANUARY

National Endowment for the Humanities Media Program, deadline for applications January 30. Contact Humanities Projects in Media, NEH, Public Affairs Office, M.S. 351, Washington, DC 20506, or call Media Program (202) 724-0381.

SPECIAL NOTICE

National Public Radio's training workshops (listed in previous issues of "At A Glance") for news reporters, advanced radio production, music recording and advanced engineering are all on hold until further notice.

ADVERTISING YOURSELF:

On-Air Promotion Of Station Fundraisers

by Tom Thomas

"Here's the deal: we're doing this benefit. It's at a great little club. We've got a dynamite band, we'll be collecting a cover at the door, the band's donating their time and we get the space for free — the club gets all the proceeds at the bar, of course.

"We just wanted to know if there's anything we need to know about what we can do over the air to promote it."

You bet there is!

Ever since the FCC revised their rules regarding the "noncommercial nature" of public broadcasting, NFCB has been receiving a steady stream of inquiries about what stations can and cannot promote on their airwaves, about when stations can accept compensation for broadcasting material, and about how contributions to the stations can (or must) be acknowledged. All of these are tricky areas that take some careful thought.

This article will review the basic FCC guidelines about on-air promotion, and take an in-depth look at one particular area — promotion of a station's own fundraising events.

THE BASIC RULES

Under current FCC policy, you may promote anything you want — as long as you believe it is in the public interest to do so, and as long as you have not received any consideration for doing the promotion. If you want to promote a community event — non-profit or otherwise — and the people doing the event have not given you anything, go right ahead. If you want to promote dogfood, floor wax . . . it's up to you. As long as you don't receive anything.

Now, if the event is *non-profit*, you may promote it *and* you may receive consideration for doing so. Public stations are now allowed to run actual *paid advertisements for non-profit activities.* The only restriction in this area is that such advertisements shouldn't "interrupt regular programming."

Since the station itself is a non-profit organization, it may also actively promote its own events, even though it is receiving consideration — the profits of the concert, or whatever other benefit event you are promoting.

A CLOSER LOOK: YOUR OWN EVENTS

There are several areas, however, in which the station should use great care in promoting activities from which it benefits.

Are Other, For-Profit Activities Involved? You must be careful that, in promoting your own project, you are not also promoting other, for-profit activities that may be tied in with your fundraiser. For example, many stations regularly do small benefits in local clubs. The station collects a cover charge at the door, and the club gets the take from the bar, meals, etc. This gets the station into a tricky situation because, in urging people to attend the event, it is also urging people to patronize a for-profit business.

The more people that come, the more money the local club makes. And *that* is promotion of a for-profit business

in exchange for consideration — the consideration being the use of the club and the right to charge a cover.

There are a couple of ways around this. One is to simply *not promote the event over the air*. You can announce it along with other events as part of a "community bulletin board," provided the announcements do not promote, just inform. You can also publicize the event by other means, such as your program guide, posters, or mailings to your contributors. You could even do trade-out advertising in the publications of other non-profit groups — they run an ad for your benefit, you do an ad for them on the air.

Another option is to work with the club on a *contract* basis. Instead of their getting the bar proceeds, or a percentage of the cover (or a percentage of *anything*), you agree to a fixed fee for their services. In the movie business, this is known as "four-walling." Under such arrangements, anything you pay the club is just an expense of doing the event. They do not make more or less based on your promotion.

The advantage of this is that you can then promote the event like crazy. The disadvantage is that you've put yourself on the line for a fixed expense that could eat up your proceeds.

When Is A Benefit Not A Benefit? This is the second area the station must worry about. It's not uncommon for stations to be approached by concert promoters — or people with other projects — who will give the station some portion of a concert's proceeds in return for the station "sponsoring" the event and promoting it. In most of these cases, it is the concert promoter who is the real beneficiary. The station is lending its good name and promotional efforts for a fee — its share of the profits or some fixed amount. If that's the situation, then the station would be promoting a for-profit event in return for consideration — even if it *is* the token "sponsor."

This is an area that takes careful judgment. There *is* a dividing line between when a station is doing a benefit and paying for services associated with it, and when somebody else is doing an activity and paying the station for its help — but that line can get very fuzzy. One rule of thumb is to ask who benefits from successful promotion. If the station is the principal beneficiary of increased attendance, then it's probably a benefit for the station. If the promoter gets most of the take from more people coming, it probablv is not.

As with the example outlined above regarding the "club date" benefit, the station can always participate in these kinds of propositions — as long as it doesn't use its airtime to promote them. The question of "is it really a benefit" *only* applies to over-the-air promotion.

Don't Overdo It! The final area in which stations must exercise real care concerns over-exploitation of the unique opportunity to promote their own activities, at the expense of or in competition with other groups and businesses in the community. You have a radio station, and most other people do not. The FCC has long held (for commercial stations) that licensees have an obligation to prevent the use of their facilities to promote unfairly their own non-broadcast business interests. The classic example might be a radio station owner who also runs a car dealership, and who advertises his dealership extensively but refuses to carry advertising for other car dealers.

As public stations are given greater flexibility to engage in promotion and — in the case of non-profit groups — outright advertising, they also have a greater responsibility to ensure these activities are handled in a fair and equitable fashion. A station that relentlessly promotes its own benefit events and turns a cold shoulder to other non-profit groups is asking for trouble. The situation becomes even more difficult as a station gets involved in fundraising activities that are outside the domain of traditional benefits (concerts, craft fairs, etc.) and into areas that are directly competitive with commercial concerns.

A good example of the latter case emerged in the controversy over *The Dial*, the high-gloss program guide/magazine launched by some public television stations. The publishers of several "city magazines" were up in arms over what they saw as unfair competition. The stations were giving *The Dial* heavy promotion over the air. This allowed it to build a substantial circulation with minimal advertising expense, giving it a real edge over conventional magazines.

The FCC neatly sidestepped the issue by deciding *The Dial* was more a "premium" available to station contributors, and thus intimately connected with the stations' operations, than a subsidiary and revenue-producing business venture. This hinged on the fact that *The Dial* was provided without additional charge to members making contributions. Had the publication been offered mostly on a subscription/newstand basis, the decision most surely would have gone the other way.

HIRING A PROFESSIONAL PROMOTER

Another question we've been asked concerns hiring professional promoters to handle fundraising events. The answer is probably clear to you from the above discussion.

There certainly is no prohibition against hiring a professional promoter on a fee basis. When you begin to work on a percentage basis, the pertinent issue is who is really benefitting. Giving a promoter a small percentage in addition to a fee, or having the person work on a percentage basis if that percentage is a small portion of the overall proceeds, is acceptable practice. And all of this really matters *only* with respect to promoting the project over the air. If you are willing to forego on-air promotion, you can make just about any arrangements you want.

A FINAL NOTE

This article is concerned only with *FCC* regulations. You should also bear in mind that the Internal Revenue Service has a certain interest in how you conduct your fundraising, if you are to maintain your tax-exempt status.

But *that's* another article.

NFCB Conference: Large Turnout

Over three hundred community radio broadcasters gathered in Santa Cruz, California on July 7-10 for NFCB's eighth annual conference — the most widely-attended NFCB conference to date and, for many of the participants, the most important training event of the year. The conference had a strong focus on alternative financing, with an intensive full-day session on underwriting complemented by workshops on various aspects of developing listener support, benefits and other special events, profit-making ventures, and station and program promotion.

In addition to the financing workshops, numerous sessions were held on production techniques, programming issues, station operations and management, and the national environment for community radio. "The mix of workshops was perfect," noted one participant in the conference wrap-up session. "It's as if you figured out exactly what we need at my station, and gave it to us."

The conference was also an opportunity for caucus meetings of people of color and of women, and for discussions among station managers and among program directors. A plenary session on the state of public radio provided a chance for station representatives to review the events surrounding NPR's recent budget crisis, and the implications for public radio.

COMMUNITY RADIO AWARDS

A conference highlight was the Community Radio Program Awards ceremony, hosted by NFCB's Dave Taylor, and including special presentations by Mr. Science of Duck's Breath Mystery Theatre and the American Farceological Assocation.

"Golden Reel" awards went to John Rieger for *The Bill of Rights Radio Education Project Mini-Documentary* series; Johnny Simmons and Eddie Nelson of KUSP for *Octo-Rapp in Dub*; Magdalena Hernandez Beltran of KUBO for *No Time for Silence*; Laury Roberts of the Alaska Public Radio Network for *The Pelican Strike*; WORT for *The Breakfast Special*; and Youth News for *Youth on the Air*.

Honorable mentions were awarded to Terry Fitzpatrick and Martin Espada of WORT for *Nicaragua, Three Years After Somoza*; Elisabeth Perez-Luna for *Latino Voices*; The American Audio Prose Library of KOPN for *Toni Cade Bambara*; and Tom Lopez of ZBS Foundation for *Ruby, The Adventures of A Galactic Gumshoe*.

The evening awards presentation also recognized the achievements of the community radio pioneer Elsa Knight Thompson, and the entrance to the airwaves of six community stations over the past year: KAZI, a black-controlled station serving Austin, TX; KDNK, a new NFCB member in Carbondale, CO; KILI, tribally controlled Lakota Communications in Pine Ridge, SD; KMUN, a small-market station serving Astoria, OR; KNNB, Apache Radio Broadcasting Corporation in Whiteriver, AZ; and WXPR, a rural station based in Rhinelander, WI.

In a surprise presentation, KUSP awarded special thanks to NFCB's Nan Rubin, for her tremendous work coordinating the last six NFCB National Conferences.

BUSINESS MEETINGS

NFCB's annual Members' Meeting was held in conjunction with the conference, and included election of the new NFCB Steering Committee. Hugo Morales, Station Manager of KSJV in Fresno, California was elected Chairperson. Morales has been very active in NFCB for a number of years now, and is one of the major forces behind the rapid growth of the minority-controlled stations in NFCB's membership.

Other members of the 1983-84 Steering Committee include:

Miya Iwataki (Secretary), Development Director of KPFK, Los Angeles.

Marc Hand (Treasurer), Executive Director of Western Community Bilingual Radio. *3rd term.*

Faye Eriacho, Manager of KSHI, Zuni-NM.

Diane Kaplan, Executive Director of the Alaska Public Radio Network.

Valeria Lee, Manager of WVSP, Warrenton, NC.

Bari Scott, Director of Third World Affairs, KPFA, Berkeley, CA *3rd term.*

Jaime Villegas, Business Manager of ETCOM, El Paso, TX.

Bill Wax, Program Director at KOPN, Columbia, MO. *2nd term.*

Tom Thomas, NFCB's President, is an *ex officio* member.

Priorities stressed by the new committee members include:

- Financial growth and stability for the organization and for the individual stations.
- Continued commitment to the participation of women and people of color in community radio, with special attention to program development and funding.
- Continued emphasis on developing station and program services that meet the current needs of the community stations.
- Increased networking among the stations.
- Active role in national policy issues — particularly the allocation of funds for national programming.

Other business conducted at the meeting included:

Admission of new members. The applications for NFCB membership of 7 new community radio groups were approved, bringing NFCB's total membership to 69. The new members include Blackfeet Media, Inc. in Browning, MT; KDNK-FM (Carbondale Community Access Radio) in Carbondale, CO; KHNS-

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JOB OPENING	EQUIPMENT FOR SALE	MATERIALS NEEDED
ADDRESS CHANGE		
ADVICE SOLICITED		

NFCB MESSAGE PAD

The "NFCB Message Pad" is a regular feature of the NFCB Newsletter, providing a bulletin board of job openings, equipment sales and other announcements. If you have a listing, call or write Betsy Rubinstein, NFCB, (202) 797-8911.

Listings of up to 200 words are free for NFCB Members and Associates, and cost $10 for others.

JOB OPENINGS

STATION MANAGER, WORT-FM, Madison, Wisconsin. *Responsibilities:* The Station Manager is responsible for overseeing all operations of non-commercial WORT radio. Specifically, the Station Manager is responsible for: financial management and fundraising; personnel management; program development and management; facilities operations and development; public and government relations; organization design; long- and short-term planning development. The Station Manager is responsible for ensuring compliance with all licensing regulations and with the principles and policies set forth by the Board of Directors. *Qualifications:* Minimum of three years management-level experience is required, which should include overseeing a staff of five or more and overseeing a budget of $250,000 or more in the development of a project or program (or comparable management-level experience), preferably with a non-profit organization. Strong interpersonal skills, strong public relations skills, and experience in personnel management is required. An ability to work with a variety of organizations and individuals is required. Demonstrated experience in fundraising and financial management is required. Two years non-commercial radio experience is strongly desired. Diverse public affairs and human rights interests and a familiarity with local affairs is preferred. *Salary:* $1333 per month ($16,000 annualized), plus health and dental insurance. *To Apply:* Applications are available from Don Alan, WORT, 118 S. Bedford St., Madison, WI 53703. (608) 256-2695. Applications and resumes must be received no later than September 6, 1983 to assure consideration. Top candidates will be interviewed by a committee composed of the Executive Committee of the Board of Directors and the Acting Station Manager as staff representative. A second interview may be required. WORT is an equal opportunity, affirmative action organization. Women, minorities and other protected group individuals are urged to apply.

PROGRAM DIRECTOR, WPFW-FM, Washington, DC. *Responsibilities:* The Program Director is responsible for all on-air programming, and reports directly to the General Manager. Specific duties include: coordination of program schedule; coordination of appropriate training for programmers/producers; oversight on artistic, technical and content quality of all programs; coordination of critiques of all existing programs and guides for upgrading, where appropriate; day-to-day enforcement of FCC, Pacifica Foundation and WPFW programming policies; seeking community input for expansion of programs to better serve the Washington, DC metropolitan communities; supervision of Music Director, Public Affairs Director and other programming staff; coordination of local audience research; coordination of programming information for monthly program guide; implementation of Pacifica Foundation programming "contracts." *Qualifications:* Ability to work with diverse people; experience administering community radio programming; ability to work with limited material resources and numerous community-based volunteers; understanding of programming formats and scheduling concepts; commitment to viability of listener-sponsorship and diverse programming; experience carrying out goals and principles similar to Pacifica Charter, and providing leadership/inspiration for such. *Salary:* $11,000-$14,000/year, plus health, retirement and training benefits. *To Apply:* Send resume, by September 15, 1983, to Marita Rivero, Program Director Search, WPFW, 700 H St., NW, Washington, DC 20001. (202) 783-3100.

TECHNICAL DIRECTOR, Alaska Public Radio Network, Anchorage, Alaska. *Responsibilities:* Handle studio and satellite operations for statewide radio network with 15 affiliates. Engineer daily half-hour award-winning newsmagazine. Operate satellite uplink. Maintain audio and transmission equipment. *Qualifications:* Excellent technical and audio production skills and standards. Formal engineering training. Experience with broadcast and transmission equipment maintenance. *Salary* is competitive. Will consider excellent trainee with good background. *To Apply:* Send resume and three professional references to Diane Kaplan, Executive Director, APRN, 2607 Fairbanks St., Anchorage, AK 99503. Position is open until filled. APRN is an equal opportunity employer.

CHIEF ENGINEER, KAXE, Grand Rapids, Minnesota. *Qualifications:* Ensuring compliance with FCC regulations. Maintenance of equipment. Technical training of volunteers. Production engineering. Minimum of one air shift per week. *Qualifications:* First Class License; ability to work well with a variety of people; good organizational skills; experience in production engineering. *Salary:* $10,500 plus health insurance. *To Apply:* Send letter of application, resume, and names, phone numbers and addresses of three professional references to Scott Hall, Board Chairperson, KAXE-FM, 1841 E. Highway 169, Grand Rapids, MN 55744-3398. Position is open until filled. KAXE is an equal opportunity employer.

ADDRESS CHANGES

KZUM-FM. New address: 244 N. 10th St., Lincoln, NE 28508. Phone unchanged.

OTHER NOTICES

FOUNDATION RADIO FUNDING GUIDE – a list of foundations who give grants to radio-related projects, including contact data, brief guideline criteria, and sample listing of grants – is available from Audio Independents. $5 for AirNet Members; $15 for Non-Members. Add $.50 for postage and handling; California residents add 6% sales tax. Order from Audio Independents/Funding Guide, 1232 Market St., San Francisco, CA 94102.

HEALTH INSURANCE FOR PRODUCERS. Audio Independents' AirNet membership now includes access to a Group Life and Medical Plan. For complete details write: Health Insurance, AI, 1232 Market St., Suite 105, San Francisco, CA 94102.

RADIO DRAMA FOR YOUNG PEOPLE. The Academy of Media and Theatre Arts is soliciting scripts and/or script treatments for half-hour radio dramas for young people (ages 8-11). Four scripts will be selected for protion. The writers will join the cast and crew for one week of studio production work at Western Public Radio in San Francisco. Application deadline is August 26. For more information, write Candace Barrett, AMATA, Fort Mason Center, San Francisco, CA 94123. (415) 776-4720.

DEADLINE FOR ANNOUNCEMENTS TO BE INCLUDED IN NEXT ISSUE OF THE NEWSLETTER IS AUGUST 26.

NFCB BUSINESS MEETING

Continued from page 6

FM (Lynn Canal Broadcasting), Haines, AK; KMPO-FM (Radio Bilingue, Inc.), Modesto, CA; KNON-FM (Agape Broadcasting Foundation, Inc.), Dallas, TX; KXCI-FM (Foundation for Creative Broadcasting, Inc.), Tucson, AZ; and Uhuru Communications, Inc. in Binghamton, NY.

Approval of by-law changes regarding voting procedures and corporation officers.

Review of the issues surrounding national program funding, culminating in a resolution endorsing CPB's stated priorities for use of national program funds – preservation of essential public radio programming, particularly *All Things Considered* and *Morning Edition*, and commitment to programs serving specialized audiences and to those developed by independent producers – and urging that any diversion of funds from national programming to stations' Community Service Grants be allocated on an equal basis to all CPB-qualified stations.

Discussion of NFCB's station financing project. After reviewing the work on the project to date, stations broke into small groups to discuss the particular financing needs of different types of NFCB members. While stations have agreed that finance-related services are their top priority for NFCB's station services, the specific needs of different types of stations are quite varied and chart an ambitious agenda for NFCB's station financing project: researching and developing models for earned revenues and profit-making subsidiaries; training in station promotion and development of listener support; information on cooperative ventures that stations can enter into with other groups, with particular emphasis on exploration of SCA use; development of underwriting procedures; and sharing of information among stations on successful models for auctions, benefits and other special events.

NPR BAIL-OUT

Continued from page 1

former CPB Board member; Henry Geller of the Center for Public Policy Research (formerly head of NTIA); and Elliot Richardson, Cabinet member during the Nixon administration. An initial agreement between the trust and NPR will provide for a lease-back of the facilities to NPR for the coming three-year period.

As soon as the agreement was reached, CPB handed NPR a check for $500,000 – an advance against NPR's scheduled August payment from its regular grant, enabling the network to meet payroll the following day. CPB also confirmed that it was forgiving an earlier loan of $600,000, essentially making a supplemental grant to NPR for the current fiscal year and, with the $8.5 million line of credit, covering NPR's projected $9.1 million deficit. The conditions of the loan will now be put before NPR's member stations for approval.

QUESTIONS REMAIN

While the loan agreement appears to insure NPR's survival, a host of difficult questions still remain. Immediately ahead are negotiations over CPB's investment in public radio programming for the coming year – how much will go to NPR and under what terms and conditions? What steps will be taken to satisfy CPB's frequently stated commitment to preserve special audience programs and independent productions, as well as NPR's core schedule?

For NPR member stations, there are questions about how much of their loan guarantees will need to be taken from their coming community service grants. NPR is launching an over-the-air fund drive the first week in August to start bringing in donations that may let its members at least partially off the hook, and other fundraising efforts in the months ahead may also lessen the burden.

The over-the-air fund drive has itself been a source of controversy, however. It had initially been voted down as a fundraising option by the NPR Board's Participatory Fundraising Committee, on the grounds that the national network shouldn't compete with the stations' own local fundraising efforts. Even now, with the drive only several days away, less than half of the NPR members have agreed to run the special edition of *All Things Considered* that will carry the pitch.

While NPR headquarters were filled with a sense of exhausted relief at the announcement of the loan agreement with CPB, one official summed up the situation by saying, "We are still at the beginning of a long, long climb."

National Federation of
Community Broadcasters
1314 14th Street, N.W.
Washington, D.C. 20005

Nonprofit Org.
U.S. Postage
PAID
Permit No. 46959

WRMC
P.O. Box 2200
Middlebury, VT 05753
(A: 4/84)

ADDRESS CORRECTION REQUESTED

Use of sponsorship on WRMC represents a number of things:

1. an alliance of WRMC and Middlebury College with any business in question, something that the College tries hard to avoid.
2. The support of a for-profit institution.
3. Favoritism within WRMC for a particular business over another or others. This favoritism retains questionable meanings and intentions.

THE WRMC Player of the Week supports excellence in athletics, something we presumably condone by broadcasting Panther athletic contests.

The addition of Emilio's seems, in my opinion, to further only the interests of the business itself and in no way betters the quality broadcasts of athletic contests on the Panther Sportss Network, WRMC.

While it is anyone's prerogative to award a prize for excellence in any given endeavor, WRMC should, in my opinion, refrain from entering business ventures of any kind. These ventures, though legal in a very strict sense, do not add to the quality of broadcasts,

Development of this business end of broadcasting will detract from the our already limited human resources, needlessly complicate the jobs of the members of the Board of Directors and potentially jeopardize the funding that we cannot afford to lose.

Though this may no longer be a question of legality, it is my recommendation that WRMC eliminate "sponsorships" as items to be aired.

NFCB

NATIONAL FEDERATION OF COMMUNITY BROADCASTERS
1314 14th Street NW Washington, DC 20005 202/797-8911

Please Post

Please Note: Actual Rule Changes are on the other side of this Memo.

August 10, 1982

To: Members and Associate Members

From: Terry Clifford

Re: FCC changes rules regarding on-air promotion of goods and services, credit announcements and fundraising. (Add to your Legal Handbook)

The FCC has amended its public broadcasting regulations, *effective September 3, 1982*, to allow public broadcasters further flexibility in programming and fundraising practices:

- Stations may promote goods and services, except where stations have been paid to broadcast such material by a for-profit entity (i.e. stations can promote goods and services of a non-profit organization in exchange for consideration).*

- The scheduling of donor announcements, including frequency, ~~are~~ up the licensee's discretion, except that the announcements may not interrupt regular programming.

- In making donor announcements, stations can give the name address, type of business and aural logogram of the donor. The aural logogram, however, should be "value neutral." In other words, while the logogram may include a description of the donor's general product line or services, it should not promote that product. "It would be permissable for an acknowledgement to state, "General Motors, maker of automobiles"... but it would not be permissable to state "General Motors, maker of fine automobiles . . . or General Motors maker of Oldsmobile Cutlass, Pontiac Firebird, ..."

- There is no limitation on fundraising activities for the station itself, but broadcasters are prohibited from engaging in fundraising activities for other parties where such activities substantially alter or suspend regular programming. Public broadcasters may, however, use their discretion to broadcast brief announcements (including those which directly or indirectly raise funds) which would not interrupt regular programming -- such as at the beginning or end of a program, or during an "intermission," etc. -- as long as the announcements are on behalf of non-profit organizations or the licensee itself.

* Yes, that's right, you now have the blessing of the Commission to carry advertising for non-profit organizations.

Appendix A

I. Section 73.503 of the Commission's Rules, paragraph (d) and the NOTE immediately following, are revised to read as follows:

Section 73.503 Licensing requirements and service

* * * * *

(d) Each station shall furnish a nonprofit and noncommercial broadcast service. Noncommercial educational FM broadcast stations are subject to the provisions of §73.1212 to the extent they are applicable to the broadcast of programs produced by, or at the expense of, or furnished by others. No promotional announcement on behalf of for profit entities shall be broadcast at any time in exchange for the receipt, in whole or in part, of consideration to the licensee, its principals, or employees. However, acknowledgements of contributions can be made. The scheduling of any announcements and acknowledgements may not interrupt regular programming.

NOTE: Commission interpretation of this rule, including the acceptable form of acknowledgements, may be found in the Second Report and Order, (Commission Policy Concerning the Noncommercial Nature of Educational Broadcast Stations), 86 F.C.C. 2d 141 (1982), and the subsequent Commission's Order, Docket No. 21136 (July 15, 1982).

II. Section 73.621 of the Commission's Rules, paragraph (e) and the NOTE immediately following, are revised to read as follows:

Section 73.621 Noncommercial educational stations

* * * * *

(e) Each station shall furnish a nonprofit and noncommercial broadcast service. Noncommercial educational television stations shall be subject to the provisions of §73.1212 to the extent that they are applicable to the broadcast of programs produced by, or at the expense of, or furnished by others. No promotional announcements on behalf of for profit entities shall be broadcast at any time in exchange for the receipt, in whole or in part, of consideration to the licensee, its principals, or employees. However, acknowledgements of contributions can be made. The scheduling of any announcements and acknowledgements may not interrupt regular programming.

NOTE: Commission interpretation of this rule, including the acceptable form of acknowledgements, may be found in the Second Report and Order, (Commission Policy Concerning the Noncommercial Nature of Educational Broadcast Stations), 86 F.C.C. 2d 141 (1982), and the subsequent Commission Order, Docket No. 21136 (July 15, 1982).

CONSTITUTION OF THE

MIDDLEBURY COLLEGE RADIO SERVICE

Article I: NAME AND FUNCTION

Section A: The name of this organization shall be the Middlebury College Radio Service (MCRS).

Section B: The purpose of this organization shall be to operate radio station WRMC-FM.

Article II: OPERATION

Section A: WRMC-FM shall be operated in accordance with the rules and regulations of the Federal Communications Commission.

Section B: WRMC-FM shall be operated in accordance with the standards set by the President and Fellows of Middlebury College, or by their duly authorized representatives. It shall be the responsibility of the Community Council Subgroup (Community Council meeting without its administrative and staff representatives) to mediate any disputes between the MCRS and Middlebury College concerning such standards of operation.

Section C: Responsibility for the program content of WRMC-FM shall rest solely with the MCRS.

Article III: MEMBERSHIP

Section A: Membership on the staff of the MCRS shall be open to the students, faculty and administration of the College, and to other interested parties at the discretion of the Board of Directors of the MCRS.

Section B: Membership shall be without discriminatory regulations and shall be subject to the rules and regulations of the MCRS.

Section C: Normally, paid employees must be members of the College Community. Exceptions must be approved by the Dean of the College upon the recommendation of the Board of Directors of the MCRS.

Article IV: OFFICERS

Section A: Eligibility is limited to Middlebury students. The elected officers of the MCRS shall be:

(1) President (who shall act as Station Manager of WRMC-FM).
(2) Programming Director
(3) News Director
(4) Special Productions Director
(5) Business Director
(6) Engineering Director
(7) Music Director

Section B: Departmental Managers shall be appointed by the Director to whom they shall be responsible. Such appointments shall be with the approval of a majority of the voting members of the board.

Section C: The President, the Directors, and the Managers shall constitute the Board of Directors.

Article V: DUTIES OF THE BOARD OF DIRECTORS

Section A: The duties of the Board of Directors shall be specified in the By-Laws of the MCRS.

Section B: The President and each Director shall be entitled to two votes each in matters of general business. The votes may not be split.

Section C: Each department shall appoint one of its departmental managers to be a voting departmental manager, except the programming department, which shall appoint two voting departmental managers; one shall be the classical personnel manager, the other shall be the non-classical personnel manager. Each voting departmental manager shall be entitled to one vote in matters of general business.

Article VI: ELECTIONS

Section A: Nominations

Subsection 1: Nominations shall be made two weeks prior to the fall term exams.

Subsection 2: Any member in good standing of the staff of the MCRS shall be eligible for nomination to a position on the Board of Directors.

Subsection 3: Nominations shall be made by the members of the Board of Directors or by a petition signed by five members-in-good-standing of the staff.

Section B: Election procedures

Subsection 1: Elections shall be held one week prior to fall term exams.

Subsection 2: A majority being necessary for election, a runnoff election shall be held between the two candidates receiving the greatest number of votes, in the event no candidate has a majority.

Subsection 3: Each Director shall have one vote. The President shall not vote except in case of a tie. Each voting manager as described in Article V shall have one vote.

Subsection 4: Elections shall be held by Australian ballot. Ballots will be counted by the Station-Manager and the Traffic Manager (or a substitute non-voting board member). No person may count votes for his own election.

Subsection 5: Elections shall be held in the order established in Article IV.

Subsection 6: "In order to cast a ballot for a given election, a voting member of the board must be present for the entire election process (candidates' speeches, discussion, and the balloting) for that Directorial position. If a candidate is also a voting member he/she is exempt from the discussion. There will be no voting by proxy."

Section C: Officers - elect shall take office on January 1st.

Article VII: VACANCIES OF ELECTED OFFICES

Section A: In the event of a permanent vacancy in an elected position of the Board of Directors, nominations to fill the position shall be held at the first Board of Directors meeting following said vacancy. Elections will be held at a board meeting not less than one week following nominations, unless the entire staff of WRMC is notified in advance of the pending election, giving the staff 48 hours to circulate petitions. Nomination and election shall be according to Article VI, Section A, Subsections 2 & 3 and Section B, Subsections 2, 3, & 4.

Section B: In the event of a permanent vacancy in the office of the President of MCRS, the Business Director shall act as President. In the event of a permanent vacancy in another elected position, the voting manager in the department shall become acting Director. In the Programming Department, the Non-classical Manager shall become acting Director. Acting Directors shall have 2 votes. Nomination and elections of a new President or Director shall be according to Section A.

Section C: If a person temporarily vacates the office of President or a Directorship, he shall appoint an acting officer to fill the temporary vacancy, subject to Board approval.

Article VIII: REMOVAL FROM OFFICE OR STAFF

Section A: Impeachment or removal procedures shall be initiated by a majority of the voting members of the Board of Directors.

Section B: The Impeachment or Removal vote will take place one week after the initiation of such procedures; 13 votes shall be necessary for impeachment or removal. The person in question whall be allowed to present his case. If he is a member of the Board, he shall abstain from voting. The voting shall be closed except for the voting board members.

Section C: Any officer faced with impeachment may appeal his case to the student Judicial Council within one week of his having been notified of his removal from the Board by the Board or the Student Forum. After one week, the case will be considered closed. An interim officer will be appointed, under Article VII, Section 2, until the case is closed.

Section D: Directors retain the right to dismiss their managers.

Section E: Removal from staff shall be followed within three days of the final ruling of the Board by a letter in writing and signed by the President and the appropriate director.

Article IX: MEETINGS

Section A: Meeting of the Board of Directors shall be held at least three times in every four weeks in which Middlebury College is in session and WRMC-FM is broadcasting.

Section B: Departmental meetings shall be held at least one time in every eight weeks in which Middlebury College is in session and WRMC-FM is broadcasting.

Section C: Staff meetings shall be held at the Board's discretion, and must be held if one department requires it.

Section D: The procedure to be followed at Board Meetings and Departmental Meetings shall be that published in the latest edition of Robert's Rules of Order, unless another procedure is approved at the beginning of the meeting.

Section E: Qorum

Subsection 1: A quorum of Board Meetings shall consist of members representing two-thirds of the voting power.

Subsection 2: A quorum at departmental or staff meetings shall consist of the majority of members of the department or staff.

Article X: AMENDMENTS

Section A: Proposal

Subsection 1: Amendments may be proposed by any member in good standing of the staff at any Board or Departmental meeting.

Subsection 2: Majority approval of the department or Board is necessary for referring the proposed amendment to the staff.

Subsection 3: The Board of Directors shall accept all proposed amendments approved by a department and shall refer them to the staff.

Section B: Any amendments must be approved by 3/4 of the members in good standing of the staff and approved by the Student Government.

Section C: A defeated amendment under Section B of this article may not be resubmitted for approval by the staff until at least two months after it was originally proposed.

Section D: Any by-laws must be approved by the Board of Directors.

Article XI: SUMMER BROADCASTING

Section A: The MCRS shall have the option of operating WRMC-FM during the summer recess.

Section B: The President shall direct the summer operation of WRMC.

Section C: Other summer employees of WRMC-FM shall be nominated by the President, subject to Board approval and to the regulations set forth in Article III, Sections A and C.

Subsection 1: In the event that the Summer Schools shall be using the WRMC-FM facilities for language programming, the Director of the Language School shall be consulted in the hiring of any personnel to be paid by the Language Schools; all decisions shall be approved by the MCRS Board of Directors.

Section D: Should the President not be available for summer broadcasting, he shall nominate a replacement, to be approved by the Board of Directors.

Section E: Student Activities fees may not be used for summer operation.

Section F: Funding arrangements for summer operation must be approved by the Dean of the College.

Article XII: COLLEGE STANDARDS FOR THE MCRS

Section A: There shall be an MCRS Advisory Committee which shall be appointed by the President of the College and which shall be made up of the Director of Student Activities, the Director of Public Affairs, the Dean for Program Development, a representative of the Summer Language School, one faculty member, two students, the Station Manager of WRMC "ex officio" and a minimum of two local community members. It shall be the responsibility of the Advisory Committee to advise the Student Board of Directors of MCRS with respect to community service, summer operation, compliance with FCC regulations, programming opportunities, etc., and to submit to the President periodic reports and recommendations pertaining to WRMC matters.

Section B: If the Advisory Committee and the Student Board of Directors of MCRS cannot agree on come matter, the Advisory Committee shall be free to notify the President of the College or a representative of the President.

Section C: If the President or the President's representative believes that the MCRS is not operating in the best interests of Middlebury College, he or she shall take the following steps:

1. The President or President's representative shall consult with the President of MCRS. It shall be the responsibility of the President of MCRS to make any changes he/she deems necessary as a result of the complaints.
2. If the President of the College or the President's representative is not satisfied with the action taken by the President of the MCRS, he shall bhen consult with the Community Council, and it shall be the responsibility of the Community Council to mediate any dispute between the management of the MCRS and the President of the College or the President's representative. The Community Council shall be empowered to authorize the removal from office of the offending individual(s) of MCRS if it believes this action to be justified.

Section D: In the event of the removal of an officer of the MCRS by the Community Council, appeal may be made to the President of the College by the removed officer.

Section E: Article XII may not be amended without the permission of the President of the College.

Approved: April 1980